IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

LA. App. No. 804 of 2004

LAR.250/2000 of SUB COURT, KOZHIKODE
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APPELLANT/1ST RESPONDENT:
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1. **STATE OF KERALA.**

2. **THE EXECUTIVE ENGINEER,**
   N.H. DIVISION, KOZHIKODE.

   BY GOVERNMENT PLEADER SMT. K.R. DEEPA.

RESPONDENTSCLAIMANTS & 2ND RESPONDENT:
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1. **P.K.CHANDRAMATHY AMMA,**
   KIZHAKKEPURATH HOUSE, NELLIKODE, KOZHIKODE.

2. **P.K.LATHA, D/O. CHANDRAMATHY AMMA,**
   KIZHAKKEPURATH HOUSE, NELLIKODE, KOZHIKODE.

3. **P.K.SURESH,**
   KIZHAKKEPURATH HOUSE, NELLIKODE, KOZHIKODE.

4. **P.K.SUNIL KUMAR,**
   KIZHAKKEPURATH HOUSE, NELLIKODE, KOZHIKODE.

5. **P.K.SUSHITH KUMAR,**
   KIZHAKKEPURATH HOUSE, NELLIKODE, KOZHIKODE.

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 08/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & T.R. RAMACHANDRAN NAIR, JJ.

L.A. App. No. 804 OF 2004

Dated this the 8th day of June, 2007.

J U D G M E N T

Kurian Joseph, J.

This is an appeal filed against the judgment and decree in L.A.R. No. 250/2000 on the file of Sub Court, Kozhikode. Acquisition is for the purpose of Calicut bye pass. The market value fixed by the Reference Court was only at the rate of Rs. 53,300/- per cent. It is seen that the said fixation is based on the evidence that the property is situated near to the Thondayad Bazaar and that it touches the Mavoor road.

2. It is seen that in respect of properties having such importance, this Court had already sustained the land value at the rate of Rs. 60,000/- per cent in L.A.A. No. 774/2006. In the instant case the value is only Rs. 53,300/- per cent. Hence, there is no merit in this appeal and it is accordingly dismissed.

KURIAN JOSEPH
JUDGE

T.R. RAMACHANDRAN NAIR
JUDGE

smp